

ET Planning

Planning, Design and Access Statement

Client:

Sylvia Geeves

30 Essex Street

Reading, Berkshire, RG2 0EH

*Change of Use of the existing property from a
residential dwellinghouse (use class C3) to a
small House in Multiple Occupation (HMO) (use
class C4)*

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1 Introduction

- 1.1 This statement is produced to support a planning application for the Change of Use of the existing property from a residential dwellinghouse (use class C3) to a small House in Multiple Occupation (HMO) (use class C4) at 30 Essex Street, Reading, Berkshire, RG2 0EH.
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Local Planning Authority (LPA), Reading Borough Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 This planning statement has been submitted to support the application submitted by the applicant, Mrs Sylvia Geeves, who has already submitted the application under reference number 210069.
- 1.4 The relevant application fee has been submitted by the applicant separately.

2 Site Location & Description

- 2.1 The existing site occupies a 2.5-storey, terraced dwellinghouse on the northern side of Essex Street.
- 2.2 The site falls within an Article 4 area which removes the permitted development rights to change the use of an existing property from a dwellinghouse to a small HMO under Schedule 2, Part 3, Class I (now formally Class L) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (hereafter referred to as the 'GPDO'). The Article 4 Direction came into effect on May 16th 2012.
- 2.3 The site also falls within the Reading designated Air Quality Management Area (AQMA).

3 Planning History

- 3.1 There is no formal planning history at this site available at on the LPA's Planning Application register.
- 3.2 It is, however, recognised that the property has previously in use as a HMO from circa August 2003 to July 2020. This change of use was conducted under permitted development under the aforementioned class of the GPDO.
- 3.3 In the period between July 2020 – January 2021 the property was rented to a single family.

4 Policy Assessment

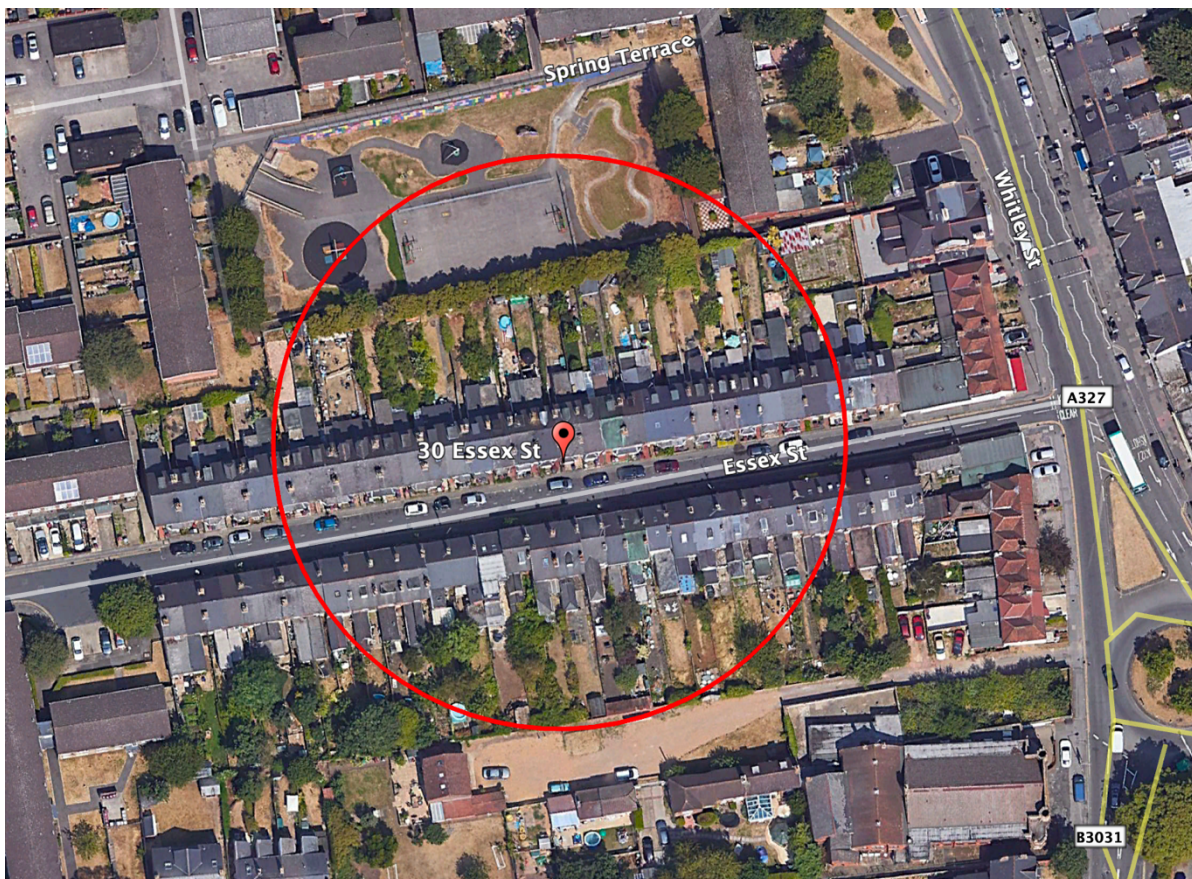
- 4.1 **National Guidance:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application. Some weight also needs to be given to the content of the Ministerial Statement, 'Planning for Growth', issued in March 2011.
- 4.2 The 'Golden Thread' running through the centre of guidance within the NPPF is the presumption in favour of sustainable development. Paragraph 38 of the NPPF states that "*Local planning authorities should approach decision on proposed development in a positive and creative way*" and "*at every level should seek to approve applications for sustainable development where possible*". Paragraph 117 of the NPPF comments that planning should "*make effective use of land*" in "*meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions*".
- 4.3 Paragraph 59 confirms the Government's objective to boost the supply of housing, and paragraph 8 identifies the three objectives of sustainable development, as economic, environmental, and social.
- 4.4 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.5 The development subject of this application constitutes the conversion of the existing dwellinghouse to a small HMO. As set out within paragraph 2.2 of this statement, the site falls within the designated Article 4 area prohibited this change of use under the GPDO.

4.6 This Article 4 direction has been introduced to control the spread of HMOs, as per paragraph 4.4.63 of the Reading Borough Local Plan (November 2019) ('LP').

4.7 Therefore, the principle of development is centred around Policy H8: Residential Conversions, of the LP which denotes that *planning permission will not normally be granted where the proportion of HMOs (either C4 or sui generis) will result in HMOs representing 25% or more of the residential properties within a circle of 50m radius measured from the application site.*

4.8 Figure 1 denotes a c. 50m radius around the subject site based on satellite imagery.

4.9 Figure 1: 50m Radius (from the front door of the subject property)



- 4.10 As is clear from figure 1, the 50m radius only encompasses properties on Essex Street, which shall therefore be used to assess the percentage of residential properties which are HMOs in the site vicinity.
- 4.11 In order to assess the number of properties which are HMOs within this radius, the Council's HMO Register (Appendix 1) is utilised. It is considered that this is the appropriate means of assessing the HMOs in the area since this information is readily available and accessible on the Council website at the time of this application.
- 4.12 If the LPA are aware of any other HMOs in the site vicinity which are not listed here, they should contact the applicant immediately to give adequate time to consider this. The importance of readily available information is well established within the planning system and reinforced within Justice Dove's decision within R on the Application of Holborn Studios Limited v London Borough of Hackney. Case Number: CO/3741/2019 in which it was established that *"the failure to provide the background material underpinning the viability assessment in the present case, in circumstances where such material as was in the public domain was opaque and incoherent, was a clear and material legal error in the decision-taking process."*
- 4.13 As per Appendix 1, there are 4 properties on Essex Street which are registered HMOs (for reference, these are numbers 6, 17, 35, 54). There are approximately 48 residential properties within the radius set out within figure 1. Thus, were the subject property to be granted planning permission to return to its former use as a HMO, the percentage of HMOs in this radius would be circa 10%.

- 4.14 This would, therefore, be lower than the National rate of approximately 11.9% of properties being HMOs, as per paragraph 4.4.58 of the LP.
- 4.15 Since this proposal would not lead to an unacceptable number and/or percentage of HMOs in the site vicinity, it is considered to be acceptable in this regard, as per Policy H8 and paragraph 4.4.65 of the LP.
- 4.16 Therefore, the principle of development is acceptable at this site, subject to complying with the relevant other material considerations, including the character of the area and amenity, which are set out in the relevant paragraphs of this statement.
- 4.17 **Sustainable Development:** The development constitutes the redevelopment of previously developed land and the re-use of an existing building. Accordingly, this is considered to constitute sustainable development in accordance with paragraph 8 of the NPPF.
- 4.18 **Character and Appearance of the Area:** The change of use would not alter the appearance of the building and therefore it is not considered that the proposed development would have any impact on the character of the area. Accordingly, the proposal does not conflict with Policy DM9 of the local plan and the Residential Conversions Supplementary Planning Document (SPD), and is thus acceptable in this regard.
- 4.19 **Residential Amenity – Internal Space:** The internal floorspace of the proposed dwelling would meet the internal HMO standards, which exceed satisfy the national minimum space standards, in accordance with Appendix 1 of the aforementioned Residential Conversions SPD.

Additionally, the property benefits from a generous degree of natural light and space.

- 4.20 **Residential Amenity – External Space:** No external changes are proposed as part of this development.
- 4.21 **Residential Amenity – Overlooking, Loss of Light and Overbearing:** The proposal is for a Change of Use of an existing building, accordingly no change to the amenity of the neighbouring properties regarding overbearing impact, loss of light or overlooking are a concern as part of the proposed development in accordance with Policy CC8 and DM4.
- 4.22 **Transport, Parking and Cycle Provision:** No changes to the existing access or parking facilities are proposed as part of this development. Additionally, there shall be space for cycle storage for the enjoyment of the prospective occupants of the dwelling.
- 4.23 **Refuse Provision:** Adequate waste and recycling facilities are provided at the site for both general waste and recycling. The existing site is considered to have adequate provision for the occupants of the proposed HMO. Any conflict with this may be dealt with by condition.
- 4.24 **Air Quality:** The site falls within the Reading AQMA. However, the proposed development is solely the change of use of the existing building to a HMO which is not considered to detrimentally affect air quality at the site or in the area. Accordingly, this is not considered to be a concern for the proposed development and an Air Quality Statement should not be required as part of this application, in accordance with Policies EN15 and DM19. Any conflict with this may be dealt with by condition.

- 4.25 **Drainage and SuDS:** The site falls within Flood Zone 1 and measures less than 1-hectare; accordingly, it is not foreseen that Flood Risk should limit the proposed development. Any conflict may be dealt with by condition.
- 4.26 **Trees, Landscaping and Ecology:** The proposed development does not propose any changes to the existing building externally and shall therefore not have any impact on any trees in the site vicinity, the landscaping, or any ecological considerations.
- 4.27 **Community Infrastructure Levy:** There is no new floorspace arising from this change of use. Therefore, the proposals are not CIL liable. The relevant forms have been completed and submitted with this application.

5 Conclusion

- 5.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land.
- 5.2 Material planning considerations have been carefully considered and analysed, as evidenced in section 4 of this statement and the supporting plans and documents. It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

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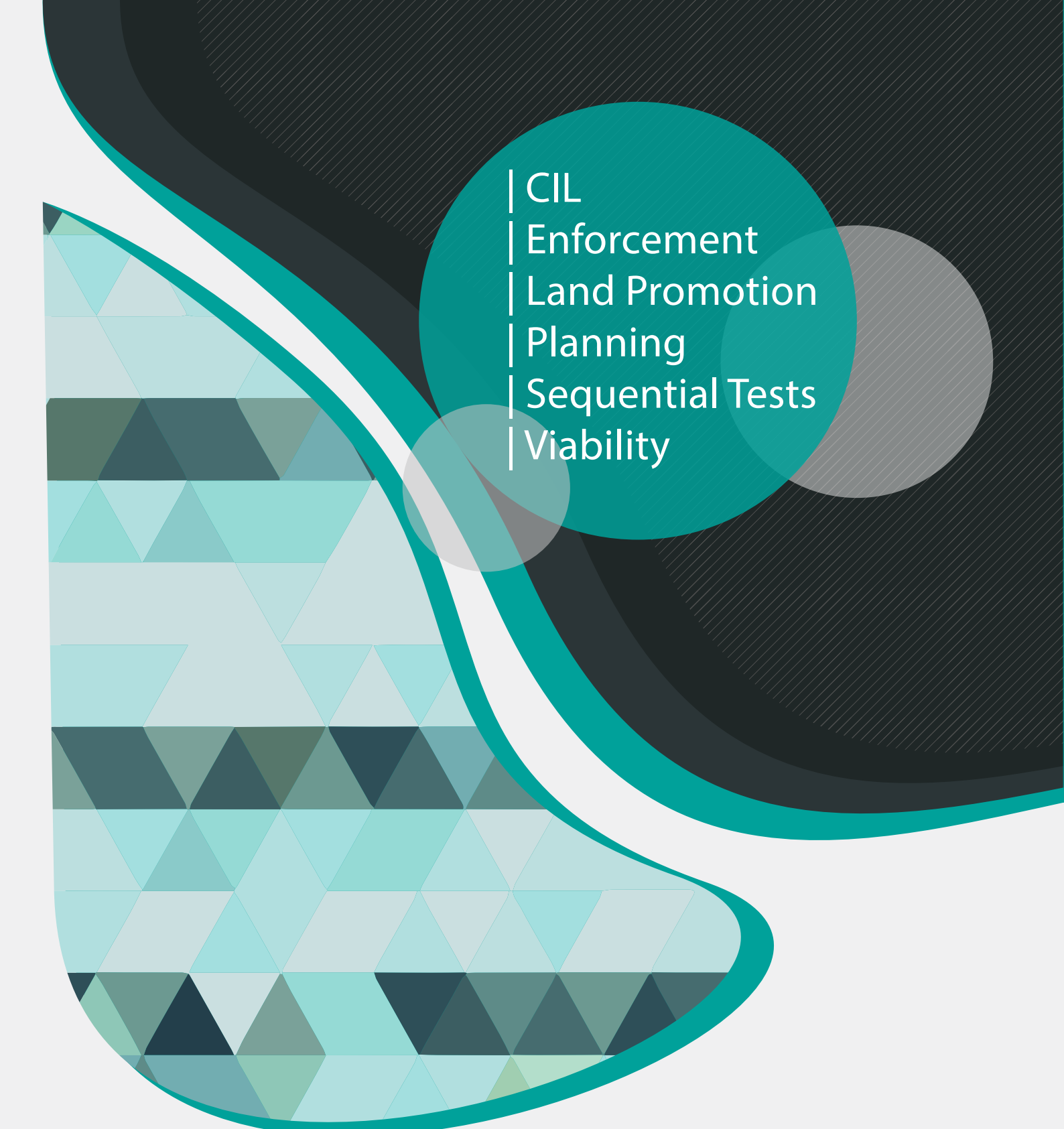
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